

# MICHIGAN SUPREME COURT



## *Office of Public Information*

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### **MAY 22 PETOSKEY HEARING IS HISTORIC FIRST FOR MICHIGAN COURT OF APPEALS; COURT WILL ALSO PRESIDE IN MARQUETTE ON MAY 20**

LANSING, MI, May 15, 2003 – For the first time in its history, the Michigan Court of Appeals will hold oral arguments in Petoskey, hearing a number of cases on appeal from northern Michigan trial courts.

A Court of Appeals panel including Judges Michael R. Smolenski, Richard Allen Griffin and Peter D. O’Connell will hold court on **Thursday, May 22** at 10 a.m. in the 57<sup>th</sup> Circuit courtroom at 200 Division Street.

The judges will also hold oral arguments in Marquette on **Tuesday, May 20** at 10 a.m. in the 25<sup>th</sup> Circuit courtroom at 234 W. Baraga Avenue.

“This is the first time in this court’s 38-year history that it has held oral arguments in Petoskey,” said Chief Judge William C. Whitbeck.

The Court of Appeals holds hearings in its Lansing, Detroit, and Grand Rapids offices; however, the court also schedules hearings in the Upper Peninsula and northern Lower Peninsula to accommodate litigants and attorneys from those parts of the state, Whitbeck explained. Traditionally, the Court of Appeals holds hearings in the Upper Peninsula twice a year. In October 2002 and May 2003, the court split the usual Upper Peninsula assignment to hold one sitting in the northern Lower Peninsula.

“In addition to easing the travel burden for parties and their counsel, we also want the public in the Upper Peninsula and northern Lower Peninsula to have the opportunity to see a Court of Appeals hearing,” Whitbeck said. “Many people have attended a trial, but few are familiar with how our state appellate courts function. We hope that the public will attend all or part of the hearings to see the appellate process at work.”

The judges will be available at 9:30 a.m. before each hearing to answer general questions from the media and the public about the Court of Appeals’ history and role in Michigan’s judicial system.

The cases the panel will hear include:

**Marquette/May 20**

*People v. Williams*, case no. 241367-L, on appeal from Delta County Circuit Court (uttering and publishing/habitual offender)

*Nelson v. Alger Maximum Correctional Facility*, case nos. 239224-L, 240230-L, on appeal from Marquette County Circuit Court (employment law, civil rights, handicap, race)

*Department of Natural Resources v. Carmody-Lahti Real Estate Inc.*, case no. 240908-L, on appeal from Houghton County Circuit Court (summary disposition/property)

*Hessel v. Department of Corrections*, case no. 242593-L, on appeal from Chippewa County Circuit Court (employment law)

*In re C. L. H., Minor*, case no. 244877-L, on appeal from Marquette County Circuit Court (adoption)

*Deschaine v. St. Germain*, case no. 244135-L, on appeal from Menominee County Circuit Court (child custody)

*Morell v. Morell*, case no 242815-L, on appeal from Chippewa County Circuit Court (domestic law, property division)

*In re J. S. and M. S., Minors*, case no. 244737-L, on appeal from Dickinson County Juvenile Court ( termination of parental rights)

*In re Genevieve A. LeBlanc Living Trust*, case no. 239955-L, on appeal from Chippewa County Probate Court (estate law)

*Hutchinson v. Township of Portage*, case no. 240136-L, on appeal from Mackinac County Circuit Court (governmental immunity)

*Bartelli v. Mottes*, case no. 240999-L, on appeal from Marquette County Circuit Court (property law)

**Petoskey/May 22**

*People v. Brink*, case no. 237458-L, on appeal from Grand Traverse County Circuit Court (operating a motor vehicle while visibly impaired)

*MacDonald v. Heights Marina*, case no. 235622-L, on appeal from Roscommon County Circuit Court (to be heard with *Budry v. Heights Marina*)

*Budry v. Heights Marina*, case no. 235623-L, on appeal from Roscommon County Circuit Court (summary disposition/negligence, premises liability)

*Dishaw v. Somerville Associates*, case no. 242048-L, on appeal from Iron County Circuit Court (summary disposition/contracts, negligence, liability)

*Tawas Lake Improvement Association v. Iosco County Board of Commissioners*, case no. 237007-L, on appeal from Iosco County Circuit Court (environmental law)

*Dana v. American Youth Foundation*, case no. 237919-L, on appeal from Grand Traverse County Circuit Court (unemployment compensation)

*Wolbert v. Copping*, case no. 238700-L, on appeal from Alpena County Circuit Court (property dispute)

*Cheboygan County Road Commission v. Smyth*, case no. 236827-L, on appeal from Cheboygan County Circuit Court (property dispute)

*People v. Blankenship*, case no. 240594-L, on appeal from Schoolcraft County Circuit Court (murder, unlawful driving away of an automobile, escape)

*Martin v. Martin*, case no. 237595-L, on appeal from Grand Traverse County Circuit Court (divorce, property dispute)

*Johnston v. North Central Area Credit Union*, case no. 237139-L, on appeal from Roscommon County Circuit Court (summary disposition/civil rights, governmental immunity)

*Guzikowski v. Michigan Properties Inc.*, case no. 234972-L, on appeal from Manistee County Circuit Court (property dispute)

*McKolay v. Teboe Florist Inc.*, case no. 235362-L, on appeal from Grand Traverse County Circuit Court (general negligence, premises liability)

*Remar v. Trumbley*, case no. 242779-L, on appeal from Chippewa County Circuit Court (negligence, premises liability, garnishment)

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